

01/03/01

Jc685  
US PTO

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January 3, 2001

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PATENT AGENT  
ALLEN C. YUN, PH.D.

Hon. Assistant Director for Patents  
Box Patent Appln  
Washington, D.C. 20231

Re: New Continuation in Part Patent Application in U.S.  
Applicant(s): Gary KLINEFELTER  
Title: METHOD FOR EVALUATING AND AFFECTING MALE FERTILITY  
Atty's Docket: KLINEFELTER1C

Jc912 U.S. PTO  
09/752514  
01/03/01

Sir:

Attached herewith is the above-identified application for Letters Patent including:

- ☒ Specification (74 pages), claims (2 pages) and abstract (1 page)
- ☒ 16 Sheets Drawings (Figures 1-16)
- ☒ Formal ☐ Informal
- ☒ Declaration and Power of Attorney (2 page(s))
- ☒ Newly executed ☐ Copy from prior application no. \_\_\_\_\_
- ☐ Preliminary Amendment
- ☐ Computer-readable Sequence Listing
- ☐ Supplemental Preliminary Amendment
- ☐ Information Disclosure Statement with \_\_\_ references
- ☐ Applicant claims small entity status. See 37 C.F.R. §1.27.
- ☐ A check (check no. \_\_\_\_\_) in the amount of \$\_\_\_\_\_ to cover:
- ☒ Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$ 1,030.00 to cover:
- ☒ The filing fee calculated as follows (including any preliminary amendment for entry prior to calculation of the filing fee):

CLAIMS AS FILED				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$ 710.00
TOTAL CLAIMS	12 - 20	= 0	x 18	--
INDEPENDENT CLAIMS	7 - 3	= 4	x 80	320.00
<input type="checkbox"/> Multiple Dependent Claim Presented			+ 270	--
<input type="checkbox"/> Reduction of 1/2 for Small Entity				
TOTAL FILING FEE				\$ 1,030.00

- ☐ Any additional fee required by the filing of an enclosed preliminary or supplemental preliminary amendment (for entry after calculation of the filing fee) has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	CALCULATION
TOTAL		-	=	x 18	
INDEP.		-	=	x 80	
<input type="checkbox"/> Multiple Dependent Claim Presented				+ 270	
<input type="checkbox"/> Reduction by 1/2 for Small Entity					
Total Additional Fee =					

- ☐ Other Fees: \_\_\_\_\_
- ☐ Other Attachments: \_\_\_\_\_
- ☒ Return Receipt Postcard (in duplicate)

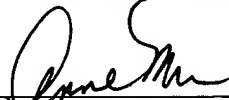
The following statements are applicable:

- ☐ The benefit under 35 USC §119 is claimed of the filing date of:  
Application No. \_\_\_\_\_ in \_\_\_\_\_ on \_\_\_\_\_. A certified copy of said priority document ☐ is attached ☐ was filed in progenitor case \_\_\_\_\_ on \_\_\_\_\_.  
Application No. \_\_\_\_\_ in \_\_\_\_\_ on \_\_\_\_\_. A certified copy of said priority document ☐ is attached ☐ was filed in progenitor case \_\_\_\_\_ on \_\_\_\_\_.
- ☒ The present application is a ☐ Continuation ☐ Division ☒ Continuation-in-part of prior Application No. 09/123,492.
- ☐ Incorporation By Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ A signed statement deleting inventor(s) named in the prior application is attached.
- ☒ The prior application was assigned to: United States Environmental Protection Agency  
401 M. Street, N.W., Washington D.C. 20004
- ☐ Amend the specification by inserting before the first line the sentence:  
--This is a continuation/division/continuation-in-part of copending parent application Serial No. \_\_\_\_\_, filed \_\_\_\_\_--
- ☒ Certain documents were previously cited or submitted to the Patent and Trademark Office in the following prior application 09/123,492, which is relied upon under 35 USC §120. Applicants identify these documents by attaching hereto a form PTO-1449 listing these documents, and request that they be considered and made of record in accordance with 37 CFR §1.98(d). Per Section 1.98(d), copies of these documents need not be filed in this application.
- ☐ A verified statement claiming small entity status is enclosed in progenitor application no. , filed . Status is still proper and desired.

- [X] As in the parent application 09/123,492, please associate the present application with **Customer No. 001444** and **Alan M. Ehrlich, Reg. No. 37,999** and recognize only the practitioners associated therewith.
- [X] The Commissioner is hereby authorized to charge payment of the following additional fees associated with this communication or credit any overpayments to Deposit Account No. 02-4035:
- [X] Any additional filing fees required under 37 CFR §1.16.
- [X] Any patent application processing fees under 37 CFR §1.17.
- [X] The Commissioner is hereby authorized to charge payment of the following fees, based on any paper filed during the pendency of this application or any CPA thereof, to effect any amendment, petition, or other action requested in said paper or credit any overpayments to Deposit Account No. 02-4035:
- [X] Any patent application processing fees under 37 CFR §1.17.
- [ ] The issue fee set in 37 CFR §1.18 at or before mailing the Notice of Allowance, pursuant to 37 CFR §1.311(b).
- [X] Any filing fees under 37 CFR §1.16 for presentation of extra claims.
- [X] If a paper is untimely filed in this or any CPA thereof by Applicant(s), the Commissioner is hereby petitioned under 37 CFR. §1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Commissioner is hereby requested to charge any fee required under 37 CFR §1.17 to Deposit Account 02-4035.
- [X] The Commissioner is hereby authorized to credit any overpayment of fees accompanying this paper to Deposit Account No. 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.

By:   
Anne M. Kornbau  
Registration No. 25,884

AMK:nmp

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